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SUBCOMMITTEE ON SURFACE TRANSPORTATION AND
MERCHANT MARINE
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
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Chairman Lott, Senator Inouye, Members of the Subcommittee: Thank you for the opportunity to appear before you today to discuss the Administration's proposal to reauthorize our highway safety programs in the "Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003" or "SAFETEA." My staff and I look forward to working with this Subcommittee and the rest of the Senate to shape the proposals that will reauthorize our programs and address the highway safety challenges facing the Nation.

The National Highway Traffic Safety Administration's (NHTSA) mission is to save lives and prevent injuries. Motor vehicle crashes are responsible for 95 percent of all transportation-related deaths and 99 percent of all transportation-related injuries. They are the leading cause of death for Americans for every age from 3 through 33. Although we are seeing improvements in vehicle crash worthiness and crash avoidance technologies, the numbers of fatalities and injuries on our highways remain staggering. In 2003, the last year for which we have complete data, an estimated 42,643 people were killed in motor vehicle crashes. This number represents a slight decrease of 362 fatalities from 2002 (43,005), but we need to continue and accelerate that downward trend.

The economic costs associated with these crashes seriously impact the Nation's fiscal health. The annual cost to our economy of all motor vehicle crashes is \$230.6 billion in Year 2000 dollars, or 2.3 percent of the U.S. gross domestic product. This translates into an average of \$820 for every person living in the United States. Included in this figure is \$81 billion in lost productivity, \$32.6 billion in medical expenses, and \$59 billion in property damage. The average cost to care for a critically injured survivor is estimated at \$1.1 million over a lifetime, a figure that does not begin to account for the physical and psychological suffering of the victims and their families.

The fatality rate per 100 million vehicle miles traveled (VMT) in 2003 was at an all-time low of 1.48. Secretary Mineta has set a goal of reducing this rate even further, to no more than 1.0 fatality for every 100 million VMT by 2008. President Bush and Secretary Mineta have made reducing highway fatalities the number one priority for the Department of Transportation and for the reauthorization of NHTSA's programs.

As the statistics indicate, traffic safety constitutes a major public health problem. But unlike a number of the complex issues facing the Nation today, we have at least one highly effective and simple remedy to combat highway deaths and injuries. Wearing safety belts is the single most effective step individuals can take to save their lives. Buckling up is not a complex vaccine, doesn't have unwanted side effects and doesn't cost any money. It's simple, it works and it's lifesaving.

Safety belt use cuts the risk of death in a severe crash in half. Most passenger vehicle occupants killed in motor vehicle crashes are unrestrained. If safety belt use were to increase from the 2004 national average of 80 percent to 90 percent—an achievable goal—nearly 2,700 lives would be saved each year. For every 1 percentage point increase in safety belt use—that is 2.8 million more people buckling up—we would save hundreds of lives, suffer significantly fewer injuries, and reduce economic costs by hundreds of millions of dollars a year.

States recognize these lifesaving benefits, and have enacted safety belt laws. However, as of March 2005, only 21 States plus the District of Columbia and Puerto Rico have primary laws, which allow police officers to stop and issue citations to motorists upon observation that they are not buckled up. Other safety belt laws, known as secondary laws, do not allow such citations unless a motorist is stopped for another offense. In 2004, belt use in States with primary safety belt laws averaged 84 percent, 11 points higher than in States with secondary laws—a statistically significant difference. If all States enacted primary safety belt laws, we would prevent 1,275 deaths and 17,000 serious injuries annually. Enacting a primary safety belt law is the single most effective action a State with a secondary law can take to decrease highway deaths and injuries.

The Administration's SAFETEA proposal builds on the tremendous successes of previous surface transportation legislation by taking some important next steps. I'd like to highlight one very important component of this proposal that creates a strong incentive for States to enact primary safety belt laws or achieve high safety belt use rates, while at the same time streamlining NHTSA's grant programs to make them more performance-based.

The Administration's SAFETEA proposal, transmitted to Congress in 2003 and adjusted this February, proposes a major consolidation of NHTSA highway safety grant programs that would provide authorizations over the 6-year period to fund the basic formula grant program to the States under Section 402, but add two important new elements—a Safety Belt Performance Grant and a General Performance Grant.

The Safety Belt Performance Grant provides up to \$100 million each year to reward States for passing primary safety belt laws or achieving 90 percent safety belt use rates in two consecutive years. Under our proposal, a State that has already enacted a primary safety belt use law for all passenger motor vehicles (effective by December 31, 2002) would receive a grant equal to 2.5 times the amount of its FY 2003 formula grant for highway safety. A State that enacts a new primary belt law or achieves 90 percent belt use for two consecutive years will receive a grant equal to five times the amount of

its FY 2003 formula grant for highway safety. This significant incentive is intended to prompt State action needed to save lives. States achieve high levels of belt use through primary safety belt laws, public education using paid and earned media, and high visibility law enforcement programs, such as the *Click it or Ticket* campaign.

A State that receives a Safety Belt Performance Grant for the enactment of a primary safety belt law can elect to use all of those funds for a wide range of highway safety programs, including infrastructure investments eligible under the Federal Highway Administration's (FHWA) Highway Safety Improvement Program in accordance with the State's Comprehensive Strategic Highway Safety Plan.

Under another provision of the Safety Belt Performance Grant, a State can receive additional grants by improving its safety belt use rates. This incentive, alone, would provide up to \$182 million over the 6-year authorization period. Any State that receives a grant for improved safety belt use rates is permitted to use up to 50 percent of those funds for activities eligible under the new Highway Safety Improvement Program.

The six-year General Performance Grant component of our consolidated highway safety grant program not only eases the administrative burdens of the States but also rewards States with increased Federal funds for measurable improvements in their safety performance in the areas of overall motor vehicle fatalities, alcohol-related fatalities, and motorcycle, bicycle, and pedestrian crash fatalities. Any State that receives a General Performance Grant is permitted to use up to 50 percent of those funds for activities eligible under the new Highway Safety Improvement Program.

These grants reflect a different approach to addressing the Nation's substantial highway safety problems. While formulating the Department's reauthorization proposal, the FHWA and NHTSA embraced the guiding principle that States should receive resources to address their own, unique transportation safety issues, should be strongly encouraged to increase their safety belt use rates—the single most effective means of decreasing deaths and injuries—and should be rewarded for performance with increased funds and greater flexibility to spend those funds on either infrastructure safety or behavioral safety programs.

But with the flexibility comes the accountability. States will be held accountable for setting realistic and appropriate performance goals, devising corresponding plans, and ultimately improving performance and achieving the goals.

These guiding principles of flexibility and accountability underlie all aspects of the Administration's highway safety reauthorization proposal. In fact, our Nation's governors speak with one voice on this issue – and they all want maximum flexibility to distribute highway safety funds where the need is the greatest.

Mr. Chairman, the single most important safety measure Congress could pass this decade is SAFETEA's proposal to provide incentive grants for States to pass primary belt laws. As the Nation's chief highway safety official, I urge you to pass a bill that gives

States the strongest incentives possible to enact primary belt laws. No vehicle safety mandate, no elaborate rulemaking, no public relations campaign that NHTSA could undertake would have the life-saving impact of Congress providing meaningful incentives to the States to pass primary belt laws.

I'd like to give you a brief overview of some of the other provisions of our SAFETEA proposal transmitted to Congress in 2003.

SAFETEA would establish a new core highway safety infrastructure program, in place of the existing Surface Transportation Program safety set-aside. This new FHWA program, called the Highway Safety Improvement Program (HSIP), would more than double funding over comparable TEA-21 levels, providing more funds for safety projects over the 6-year authorization period. In addition to increased funding, States would be encouraged and assisted in their efforts to formulate comprehensive highway safety plans. Those States with such comprehensive plans could flex up to 50 percent of their HSIP funds for behavioral safety programs.

SAFETEA also is designed to help the States deter impaired driving. Reducing the number of impaired drivers on our roadways is a complex task requiring interconnected strategies and programs. In 2003, an estimated 17,013 people died in alcohol-related crashes (40 percent of the total fatalities for the year), a 29-percent reduction from the 23,833 alcohol-related fatalities in 1988, and a decline of 3 percent over 2002. Our data show that 2003 was the first year since 1999 that the number of alcohol-related fatalities decreased. The proportion of traffic deaths of individuals with a blood-alcohol content above .08—the legal limit in every State—was highest in 2003 for 21-24 year olds, at 32 percent, followed by 25-34 year olds, at 27 percent.

A component of our revised Section 402 program would focus significant resources on a small number of States with particularly severe impaired driving problems by creating a new \$50-million-a-year impaired driving discretionary grant program. The grant program would include support for up to 10 States with an especially high number of alcohol-related fatalities and a high rate of alcohol-related fatalities relative to vehicle miles traveled and population. A team of outside experts would conduct detailed reviews of the impaired driving systems of these States to assist them in developing a strategic plan for improving programs and reducing impaired driving-related fatalities and injuries. Additional support would be provided for training, for technical assistance in the prosecution and adjudication of driving while intoxicated (DWI) cases, and to help licensing and criminal justice authorities close legal loopholes.

NHTSA believes that this targeted State grant program and supporting activities, together with continued nationwide use of high-visibility enforcement and paid and earned media campaigns, would lead to a continuation of the downward trend in alcohol-related fatalities. Also, through the comprehensive safety planning process, all States could elect to use a significant amount of their FHWA Highway Safety Infrastructure funding, in addition to their consolidated highway safety program funds, to address impaired driving.

SAFETEA's highway safety title includes a key provision to authorize a comprehensive national motor vehicle crash causation survey to enable us to determine the factors responsible for the most frequent causes of crashes on the Nation's roads. This comprehensive survey would be funded at \$10 million a year out of the funds authorized for our highway safety research and development program. The last comprehensive update of crash causation data was generated in the 1970s. Congress has recognized the importance of this survey and so far has appropriated \$14 million for this effort. Appropriations have been used to develop protocols and methodology, procure equipment, hire and train new researchers, establish data collection methodology and structure and begin field data collection.

SAFETEA also would create a new \$50-million-a-year incentive grant program that builds upon a TEA-21 program to encourage States to improve their traffic records data. Accurate State traffic safety data are critical to identifying local safety issues, applying focused safety countermeasures, and evaluating the effectiveness of countermeasures. Improvements are needed for police reports, driver licensing, vehicle registration, and citation/court data to provide essential information. Additionally, deficiencies in data negatively impact national databases including the Fatality Analysis Reporting System, General Estimates System, National Driver Register, Highway Safety Information System, and Commercial Driver License Information System.

For the past 20 years, Federal support for Emergency Medical Services (EMS) has been both scarce and uncoordinated. As a result, the capacity of this critical public service has seen little growth, and support for EMS has been spread among a number of agencies throughout the Federal government, including NHTSA. Except for NHTSA, most of the support offered by these agencies has focused only on specific system functions, rather than on overall system capacity, and has been inconsistent and ineffectively coordinated.

SAFETEA would establish a new \$10 million-a-year State formula grant program to support EMS systems development, including 9-1-1 nationwide, and would provide for a Federal Interagency Committee on EMS to strengthen intergovernmental coordination of EMS with NHTSA providing staff support. The States would administer the grant program through their State EMS offices and coordinate it with their highway safety offices. Enactment of this section would result in comprehensive support for EMS systems, and improved emergency response capacity nationwide.

SAFETEA also would provide a total of over \$500 million for NHTSA's highway safety research and development program. This program supports State highway safety behavioral programs and activities by developing and demonstrating innovative safety countermeasures and by collecting and disseminating essential data on highway safety. The results of our Section 403 research provide the scientific basis for highway safety programs that States and local communities can tailor to their own needs, ensuring that precious tax dollars are spent only on programs that are effective. The States are

encouraged to use these effective programs for their ongoing safety programs and activities.

Highway safety behavioral research focuses on human factors that influence driver and pedestrian behavior and on environmental conditions that affect safety. This research addresses a wide range of safety problems through various initiatives, such as impaired driving programs, safety belt and child safety seat programs and related enforcement mobilizations, pedestrian, bicycle, and motorcycle safety initiatives, enforcement and justice services, speed management, aggressive driving countermeasures, emergency medical services, fatigue and inattention countermeasures, and data collection and analysis efforts. These efforts have produced a variety of scientifically sound data and results.

Finally, SAFETEA would provide a total of over \$23 million for the National Driver Register. This system facilitates the exchange of driver licensing information on problem drivers among the States and various Federal agencies to aid in making decisions concerning driver licensing, driver improvement, and driver employment and transportation safety.

Overall, SAFETEA is a groundbreaking proposal that offers States more flexibility than they have ever had before in how they spend their Federal-aid safety dollars. It reduces State administrative burdens by consolidating multiple categorical grant programs into one. It would reward States for accomplishing easily measurable goals and encourage them to take the most effective steps to save lives. It is exactly the kind of proposal that is needed to more effectively address the tragic problem of highway fatalities.

On the motor vehicle safety side of NHTSA's mission, we focus our efforts on actions offering the greatest potential for saving lives and preventing injury. In 2003, we published the first ever NHTSA multi-year vehicle safety rulemaking priorities and supporting research plan. It sets forth the agency's rulemaking goals for 2003 through 2006. We have transmitted to Congress the January 2005 update of the plan, which covers the years 2005 through 2009.

In addition, we are committed to reviewing all Federal Motor Vehicle Safety Standards systematically over a 7-year cycle. NHTSA is a data-driven and science-driven agency, and we decided that such a review is needed in light of changing technology, vehicle fleet composition, safety concerns and other issues that may require changes to a standard. Our regulatory reviews are in keeping with the goals of the Government Performance and Results Act, to ensure that our rulemaking actions produce measurable safety outcomes. Several decades of vehicle safety rulemaking have demonstrated that quality data and research produce regulations that are technically sound, practicable, objective, and repeatable. Our rulemaking priorities plan was crafted with these principles in mind.

NHTSA's priority rulemakings for the immediate future include enhanced side crash protection; improved rollover crash protection through advanced prevention technologies, reduced occupant ejection, and upgraded roof crush protection; reduction in light vehicle tire failures; and shorter stopping distances for heavy trucks. Our longer-term priorities include research and rulemaking decisions to address vehicle "aggressivity" toward other vehicles; improved visibility through enhanced mirrors and other technologies; reduction in crashes associated with driver distraction; improved heavy truck tires; ensuring the safety of hydrogen, fuel cell, and alternative-fueled vehicles; and advancing crash avoidance technologies, such as driver-assist systems. We have integrated our rulemaking priorities plan and our supporting research plan to ensure that research is available when needed to conduct rulemakings that advance safety.

I would ask the Subcommittee not to include rulemaking mandates in your bill to reauthorize NHTSA's programs. Mandates take away NHTSA's ability to prioritize its work based on its most important safety priorities, to revise those priorities as circumstances change, and to have the time needed to ensure that our regulations are based on sound science. Mandates that dictate timelines and the regulatory approach impair our ability to provide the public with the best safety solutions.

Mr. Chairman, the Secretary named the Administration's proposal "SAFETEA" for a very good reason. This Subcommittee literally has the power to save thousands of lives in the years to come at no cost to the consumer. I urge you to support the Administration's SAFETEA proposal, and especially to give the States the necessary incentives to pass primary belt laws. It is worth repeating that nothing Congress will do in this bill will have a greater and a more lasting impact on safety.

Thank you for your consideration of my views. I will be pleased to answer any questions you may have.